

City Planning Commission 2013 Report to City Council

Planning Commission

Earl Fraley, Jr., Chairman

Lisa Chandler

Lorraine K. Flood

Matthew Hales

Dr. Dan Neumann

Brad Law

Martin Thomas, Jr., Vice Chairman

Approved: February 27, 2014

Department of Planning and Community Development

Chairman's Message

February 27, 2014

To the Honorable Mayor and Council
City of Norfolk, Virginia

Ladies and Gentlemen:

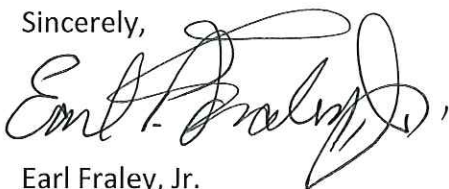
On behalf of the City Planning Commission I am pleased to forward this summary report of activities for 2013. The Commission had another busy year, with the number of planning and zoning applications remaining steady from 2012 while the number of design review applications increased slightly. The Commission also worked with staff to complete several major revisions to the Zoning Ordinance, including most notably the floodplain and historic district ordinances, as well as many smaller ordinance changes grouped under the smart processing initiative.

The Planning Commission is also proud to have continued its efforts to increase its visibility and accessibility to the public. More information is available online than ever, including all applications and staff reports for all applications for review by the Commission, including Design Review items. The Commission is also extremely excited that our public hearings are being televised as of January 2014.

Looking forward, 2014 looks as though it will be as busy as 2013, if not more so. Several ordinance revisions are underway, including several under the smart processing umbrella. We will also receive our first annual *plaNorfolk2030* implementation update and look forward to working with a newly-formed Architectural Review Board.

The continuing confidence and support of City Council in our role of helping to guide and direct the future growth and development of Norfolk is acknowledged and appreciated. The Commission would also like to thank the staff of the Department of Planning and Community Development for their professionalism and support of our efforts.

Sincerely,



Earl Fraley, Jr.
Chairman

CC: Marcus D. Jones, City Manager
George M. Homewood, AICP, Acting Planning Director

Norfolk City Planning Commission

The Norfolk City Planning Commission is a seven-member body, appointed by the City Council, responsible for the review of land use and zoning matters for the City of Norfolk. The Commission makes recommendations on various matters to City Council, which is ultimately responsible for making a final decision. The City Planning Commission is also responsible for the development of the City's General Plan.

Planning Commission members in 2013 were: Earl Fraley, Jr., Chairman; Lisa Chandler; Lorraine K. Flood; Matthew Hales; Brad Law; Dr. Dan Neumann; Syble Stone; Martin Thomas, Jr., Vice Chairman; and Mark Warlick. Ms. Stone and Mr. Warlick completed their terms in January 2013. They were replaced by Ms. Flood and Mr. Hales, who began their terms in February.

The Planning Commission met on 23 separate occasions in 2013, convening each second and fourth Thursday of the month, excepting November, where only one meeting was held, and December where each meeting was held a week earlier than normal to accommodate the holidays. The table below illustrates each Commissioner's attendance for the year.

| | Meetings in Attendance | Meetings Absent |
|-----------------------------------|------------------------|-----------------|
| Earl Fraley, Jr., Chairman | 21 | 2 |
| Lisa Chandler | 20 | 3 |
| Lorraine K. Flood* | 21 | 0 |
| Matthew Hales* | 21 | 0 |
| Brad Law | 18 | 5 |
| Dr. Dan Neumann | 22 | 1 |
| Syble Stone* | 2 | 0 |
| Martin Thomas, Jr. | 23 | 0 |
| Mark Warlick* | 1 | 1 |

* Only served for a portion of 2013

In 2013, the Planning Commission processed 177 planning and zoning applications and 96 design review applications. Additionally, the Commission considered presentations on several other topics throughout the year, including East Beach Harbor, Smart Processing, Character Districts, Floodplain Ordinance changes, Arts and Design District, Chelsea Business Area, Historic and Cultural Conservation District changes, Granby-Monticello Corridor, Pedestrian Commercial Overlay District expansion options, TIDE extension, *plaNorfolk2030* metrics, Transit Oriented Development Districts, and Stormwater and Chesapeake Bay Preservation Act regulation changes.

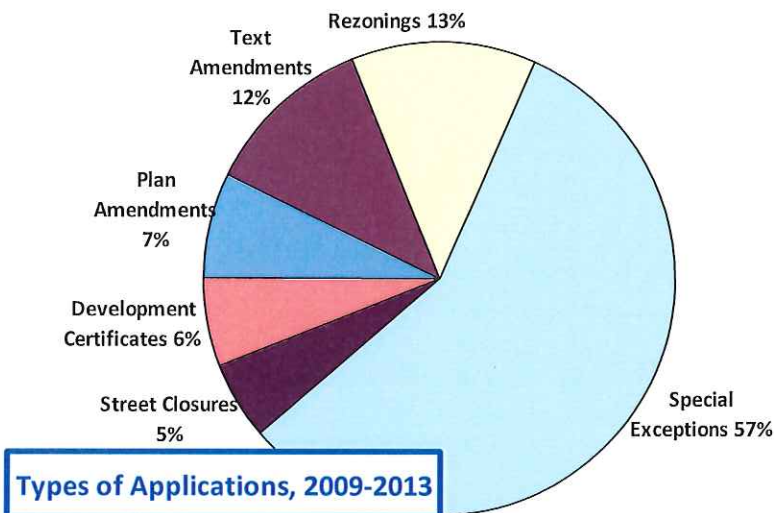
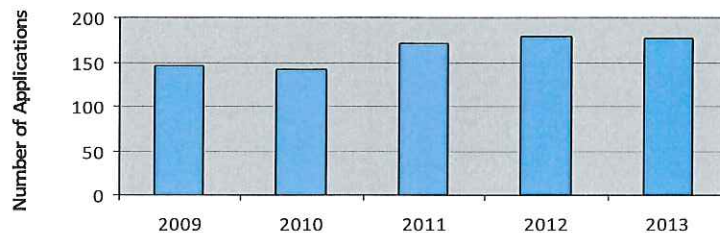
Applications Reviewed – 2009-2013

The number of applications to the Planning Commission remained steady in 2013, with 177 compared to 178 in 2012. 2013 continued the post-recession upward trend of the past few years, remaining above the five-year average of 163 annual applications and well above

the 144 applications processed in 2008 at the bottom of the recession. A total of 814 applications have been submitted to the Planning Commission since 2009. Approximately 57% of those applications were for special exceptions, by far the leading category of applications. Rezonings represented the next most common application

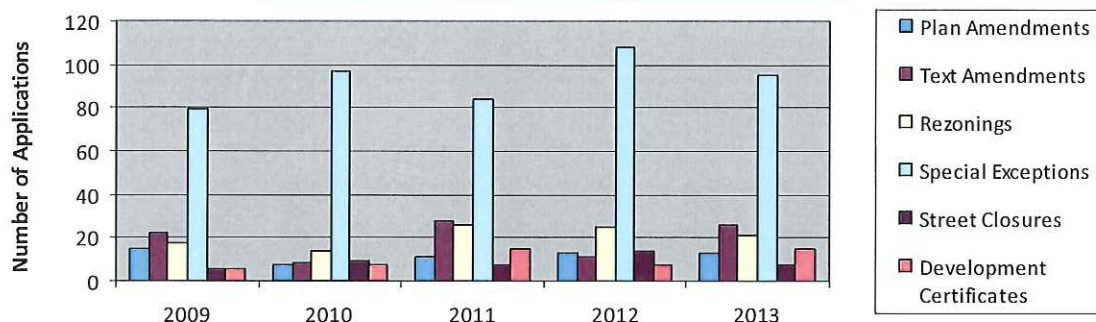
type, with about 13% of the total. Rezoning applications have still not fully recovered to pre-recession levels however, remaining steady over the past five years at less than half of the 49 processed in 2007. The third most common application type since 2009 has been the zoning ordinance text amendment, representing about 12% of the five-year total.

Total Applications Received, 2009-2013



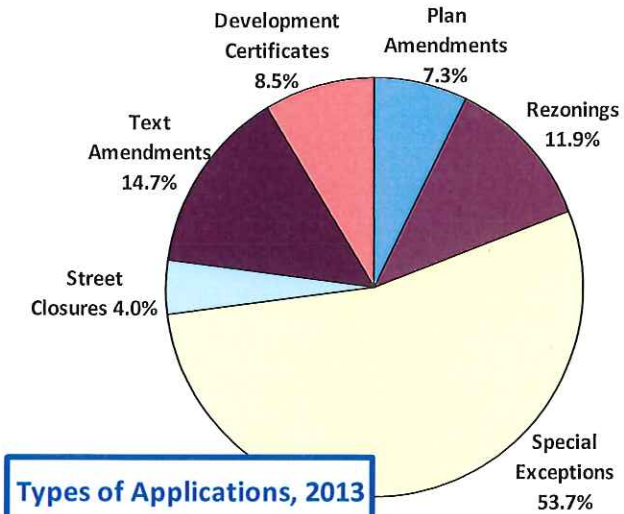
Types of Applications, 2009-2013

Planning Commission Activity, 2009-2013



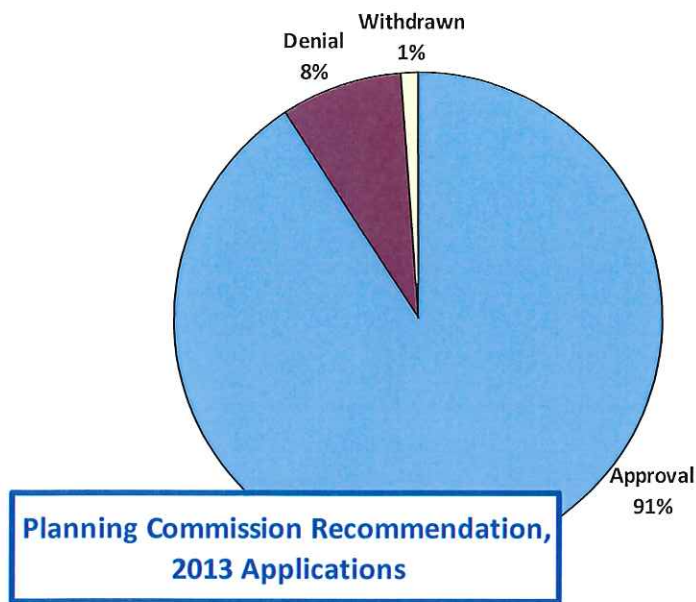
Applications Reviewed in 2013 – Planning & Zoning

The 177 planning and zoning applications reviewed by the Planning Commission in 2013 represent a negligible decline from the 178 applications reviewed in 2012. Special exception applications, about 54% of the total, were by far the most common type of application processed in 2013, followed by text amendments (15%) and rezonings (12%). The following table illustrates the disposition of all applications processed in 2013.



| | CPC Recommendation | | | | | |
|---------------------------|--------------------|---------------|------------|-----------|-----------|--------------|
| | Total | Percent | Approval | Denial | Withdrawn | % Approval |
| Plan Amendments | 13 | 7.3% | 10 | 3 | 0 | 76.9% |
| Text Amendments | 26 | 14.7% | 24 | 2 | 0 | 92.3% |
| Rezoning | 21 | 11.9% | 19 | 2 | 0 | 90.5% |
| Special Exceptions | 95 | 53.7% | 87 | 6 | 2 | 91.6% |
| Street Closures | 7 | 4.0% | 7 | 0 | 0 | 100.0% |
| Development Certificates* | 15 | 8.5% | 14 | 1 | 0 | 93.3% |
| Total | 177 | 100.0% | 161 | 14 | 2 | 91.0% |

*Includes Downtown and PCO Development Certificates, and Institutional Development Plans

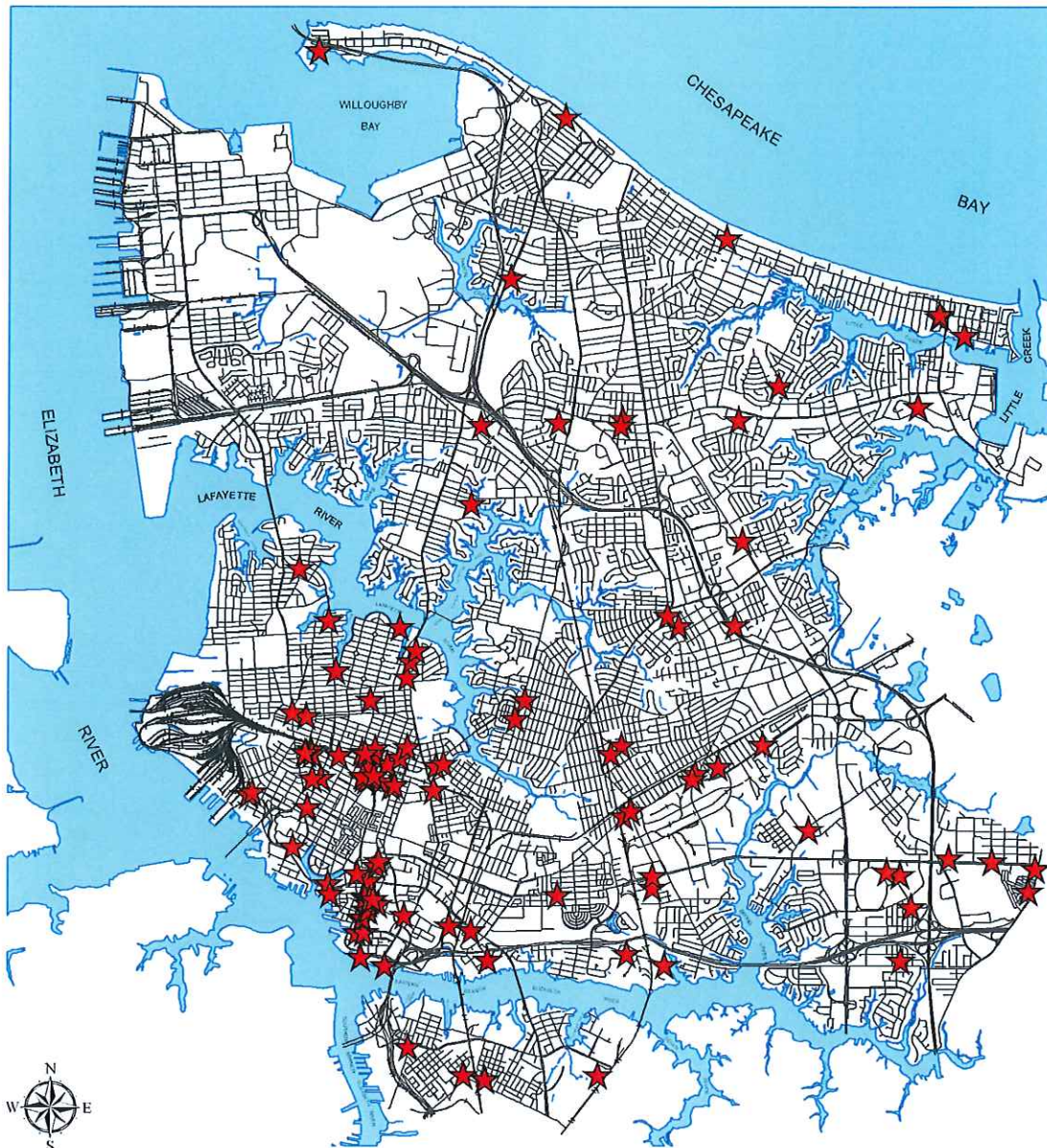


The Planning Commission recommended approval on approximately 91% of the applications it reviewed in 2013. About 8% of applications were recommended for denial, and 1% of applications were withdrawn before the Commission could make a recommendation. The 91% approval rate, an increase from the 86% in 2012, is the highest approval rate since 2010.

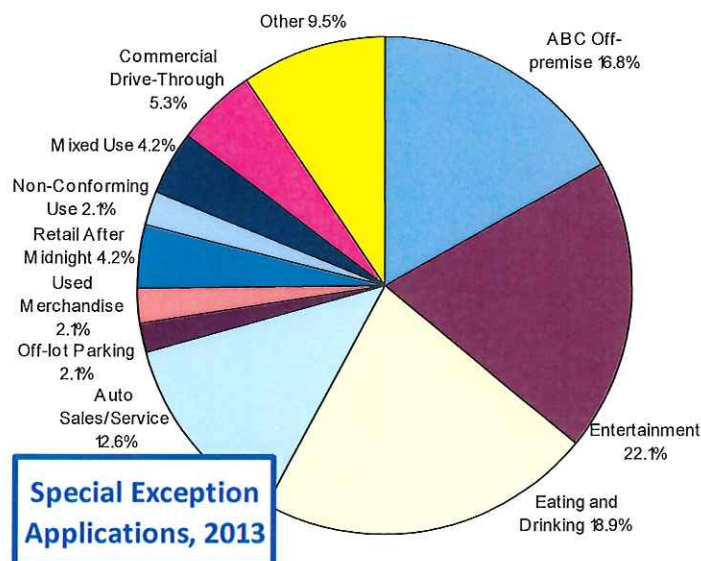
Applications Reviewed in 2013 – Planning & Zoning

The map below illustrates the geographic distribution of planning and zoning applications reviewed by the Planning Commission in 2013. Not reflected on this map are the 22 items that affected either the entire City or all or part of a neighborhood.

Planning and Zoning Applications, 2013



Applications Reviewed in 2013 – Special Exceptions



Special exceptions are the most common type of application considered by the Planning Commission, representing about 54% of all agenda items in 2013. More than half of these applications (58%) relate to the sale of alcoholic beverages, either for off-premise consumption, on-premise consumption, or as a part of an entertainment establishment. This is consistent with recent years but may decline in the future

due to ordinance changes that will reduce the incidence of alcohol-related businesses having to re-apply following minor changes in their operations.

| | CPC Recommendation | | | | | |
|--------------------------|--------------------|---------------|-----------|----------|-----------|--------------|
| | Total | Percent | Approval | Denial | Withdrawn | % Approval |
| ABC Off-premise | 16 | 16.8% | 15 | 1 | 0 | 93.8% |
| Eating and Drinking | 18 | 18.9% | 17 | 0 | 1 | 94.4% |
| Entertainment | 21 | 22.1% | 21 | 0 | 0 | 100.0% |
| Auto Sales/Service | 12 | 12.6% | 9 | 3 | 0 | 75.0% |
| Off-lot Parking | 2 | 2.1% | 2 | 0 | 0 | 100.0% |
| Used Merchandise | 2 | 2.1% | 2 | 0 | 0 | 100.0% |
| Retail After Midnight | 4 | 4.2% | 3 | 1 | 0 | 75.0% |
| Non-Conforming Use | 2 | 2.1% | 1 | 1 | 0 | 50.0% |
| Mixed Use | 4 | 4.2% | 4 | 0 | 0 | 100.0% |
| Commercial Drive-Through | 5 | 5.3% | 5 | 0 | 0 | 100.0% |
| Other* | 9 | 9.5% | 8 | 0 | 1 | 88.9% |
| Total | 95 | 100.0% | 87 | 6 | 2 | 91.6% |

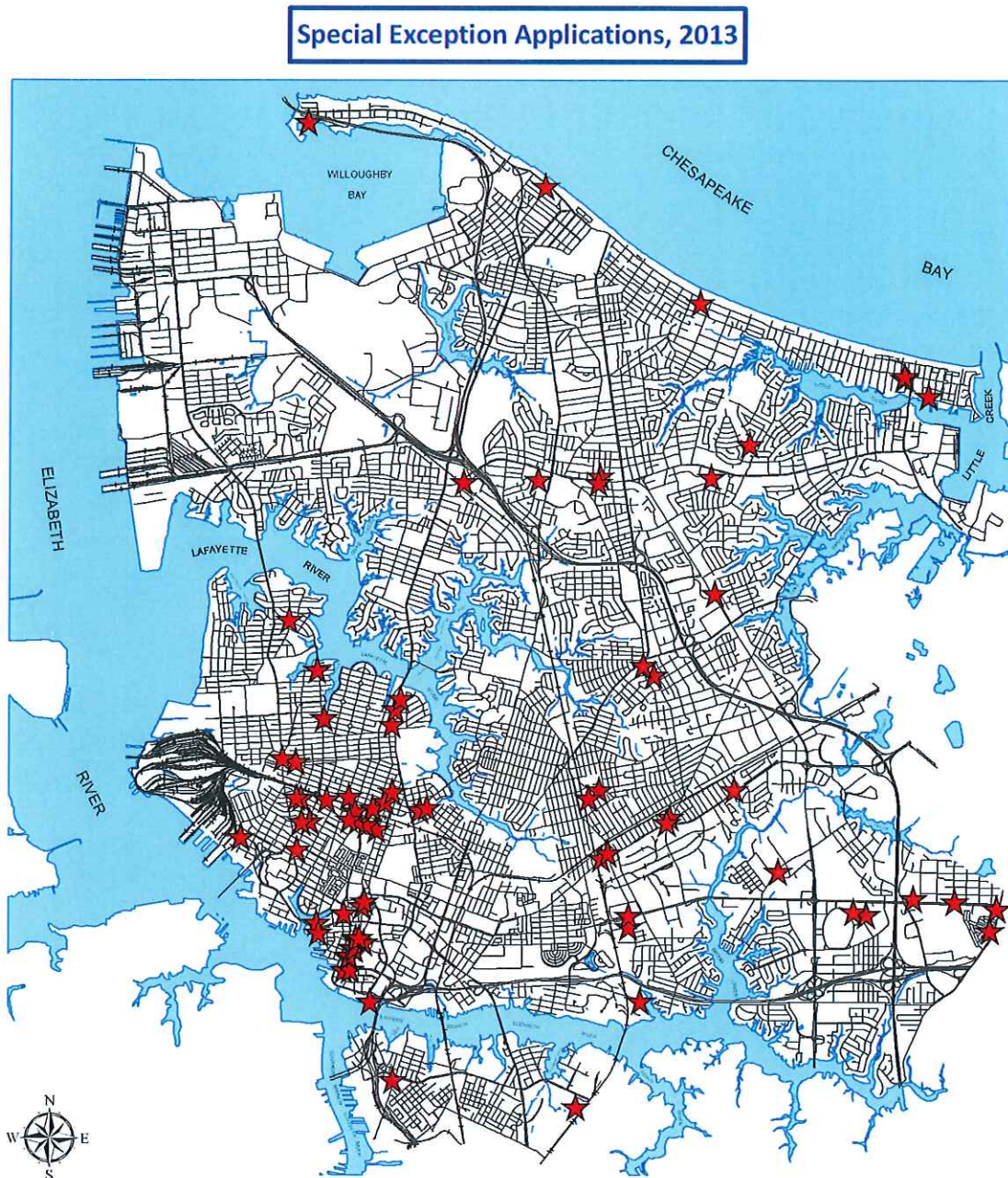
*Includes special exceptions for gas station, religious institution, communications tower, indoor flea market, daycare, therapeutic massage, and auto storage.

The remaining applications received in 2013 were divided among several categories ranging from automobile sales or service, to retail sales after midnight, to the expansion of a non-conforming use. Of the 95 special exception applications received, 92% were recommended for approval by the Planning Commission, compared to 88% in 2012 and 83% in 2011. Six applications were recommended for denial while two were withdrawn.

27% of alcohol-related special exceptions amended previous approvals.

Applications Reviewed in 2013 – Special Exceptions

The map below illustrates the geographic distribution of special exception applications reviewed by the Planning Commission in 2013.



Applications Reviewed in 2013 – Initiated by City

A number of items reviewed by the Planning Commission annually are initiated by the City, either by City staff or by the Planning Commission. Of the 177 planning and zoning applications that were reviewed in 2013, 20 (11%) were initiated by the City. The following table reflects, by type, the items that were initiated by the City in 2013. All were recommended for approval by the Planning Commission.

| CPC Action Type | Total Items | Initiated by City* | % by City |
|--------------------------|-------------|--------------------|--------------|
| Plan Amendments | 13 | 2 | 15.4% |
| Text Amendments | 26 | 16 | 61.5% |
| Rezoning | 21 | 1 | 4.8% |
| Special Exceptions | 95 | 0 | 0.0% |
| Street Closures | 7 | 1 | 14.3% |
| Development Certificates | 15 | 0 | 0.0% |
| Total | 177 | 20 | 11.3% |

* Includes items initiated by the City of Norfolk or the City Planning Commission

Applications Reviewed in 2013 – Council Disposition

The following table reflects Norfolk City Council's actions relative to the Planning Commission's recommendations, by application type. Of the 175 items acted upon by the Planning Commission in 2013, 92% were recommended for approval. As of February 11, 2014, 94% of the 169 items considered by City Council were approved. An additional six items were awaiting Council consideration at that time.

| | CPC Recommendation | | | City Council Resolution | | | | |
|--------------------------|--------------------|-----------|--------------|-------------------------|----------|-----------|--------------|----------|
| | Approval | Denial | % App. | Approved | Denied | Withdrawn | % App. | Pending* |
| Plan Amendments | 10 | 3 | 76.9% | 7 | 1 | 3 | 63.6% | 2 |
| Text Amendments | 24 | 2 | 92.3% | 23 | 2 | 0 | 92.0% | 1 |
| Rezoning | 19 | 2 | 90.5% | 19 | 1 | 0 | 95.0% | 1 |
| Special Exceptions | 87 | 6 | 93.5% | 91 | 2 | 0 | 97.8% | 0 |
| Street Closures | 7 | 0 | 100.0% | 5 | 0 | 0 | 100.0% | 2 |
| Development Certificates | 14 | 1 | 93.3% | 14 | 1 | 0 | 93.3% | 0 |
| Total | 161 | 14 | 92.0% | 159 | 7 | 3 | 94.1% | 6 |

* These items had not been considered by City Council as of February 25, 2014.

City Council generally agrees with the recommendations of the Planning Commission. In cases where they differed, as of February 25, 2014, City Council has approved four items recommended for denial and has denied one item recommended for approval. All four items later approved by City Council were special exception requests; two were part of a single request – one for off-premise alcohol sales and one for retail sales after midnight – while the other two were for two auto repair establishments. The one item later denied by City Council was a text amendment request.

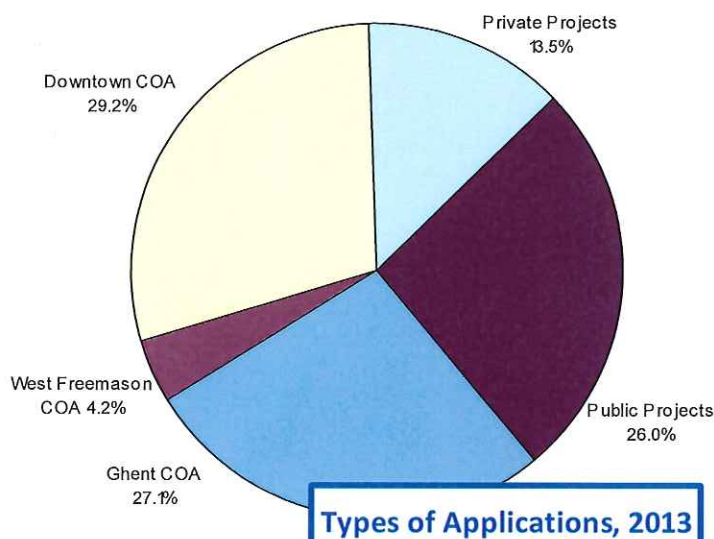
Applications Reviewed in 2013 – Design Review

The Planning Commission reviewed 96 design review applications in 2013, approving almost 91%, often with conditions and following revisions suggested by either the Planning Commission or the Design Review Committee, which reviews each item prior to consideration by the Planning Commission. This represented a slight increase from the 88 items reviewed in 2012. The Planning Commission and the Design Review Committee both recommended approval of 87 items. The 91% approval rate was a significant reduction from 2012, when 100% of requests were ultimately approved.

A new policy, effective July 1, 2013, requiring a fee for after-the-fact COA reviews accounted for 9% of 2013's items.

| | Total | Percent | Approved | Denied | Withdrawn | % Approved |
|-------------------|-----------|---------------|-----------|----------|-----------|--------------|
| Ghent COA* | 26 | 27.1% | 23 | 0 | 3 | 88.5% |
| W. Freemason COA* | 4 | 4.2% | 3 | 0 | 1 | 75.0% |
| Downtown COA* | 28 | 29.2% | 26 | 2 | 0 | 92.9% |
| Private Projects | 13 | 13.5% | 13 | 0 | 0 | 100.0% |
| Public Projects | 25 | 26.0% | 22 | 0 | 3 | 88.0% |
| Total | 96 | 100.0% | 87 | 2 | 7 | 90.6% |

* Certificate of Appropriateness



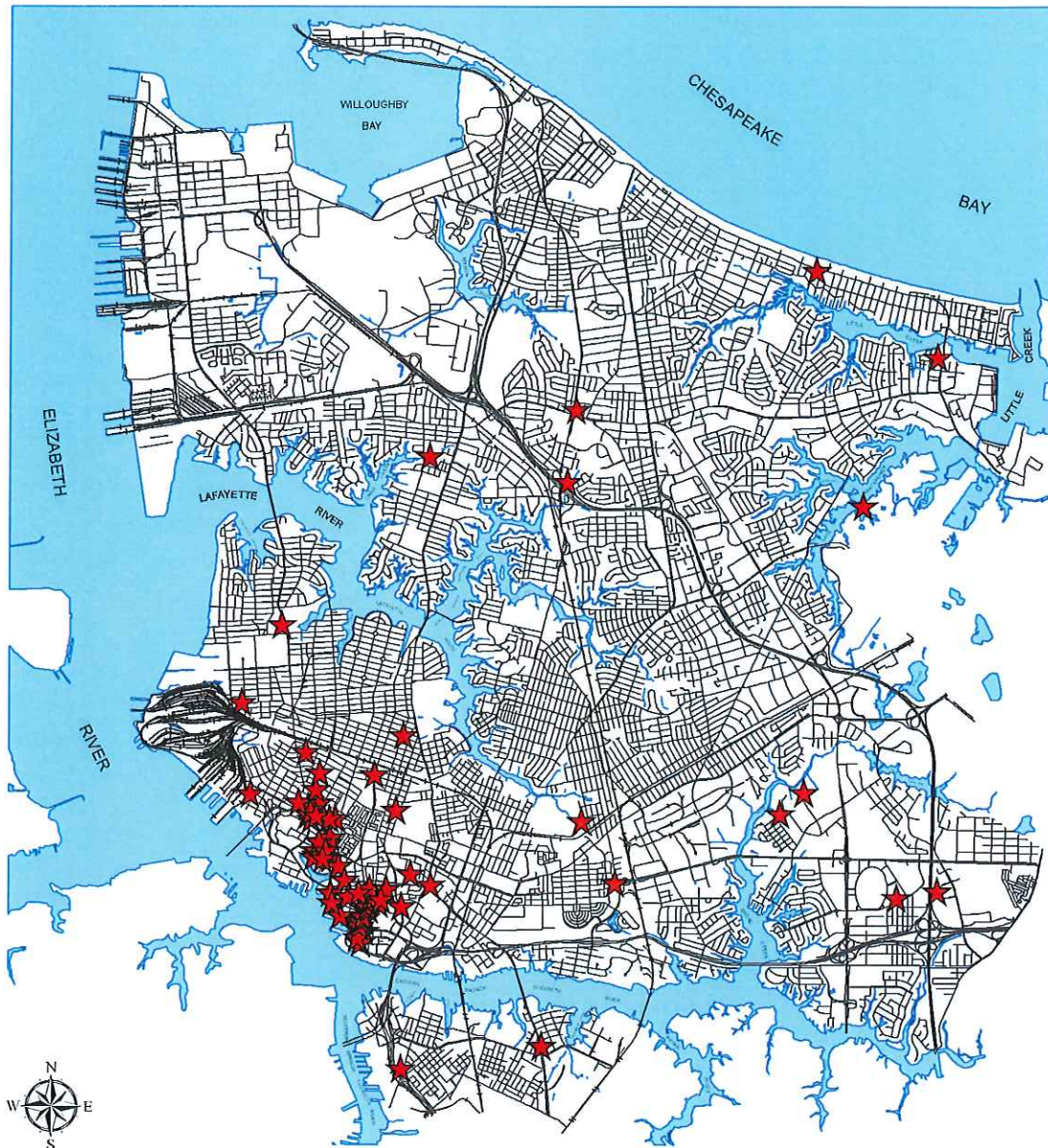
A variety of design review applications were considered in 2013. Certificates of Appropriateness (COA) for the Downtown Historic Overlay District (29%) were the most commonly considered items, followed closely by COAs for the Ghent Historic District at 27% and public projects – reviews of projects on City-owned property – at 26%. Applications for Downtown COAs doubled in one year and public projects increased

significantly from 2012, when they represented only 19% of the total. Private projects – reviews on privately owned properties outside a historic district, often on land formerly owned by the City – were the fourth most common (13.5%) application type considered in 2013, a dramatic decline from 2012, when they represented the most common application type at 31%.

Applications Reviewed in 2013 – Design Review

The map below illustrates the geographic distribution of design review applications reviewed by the Planning Commission in 2013.

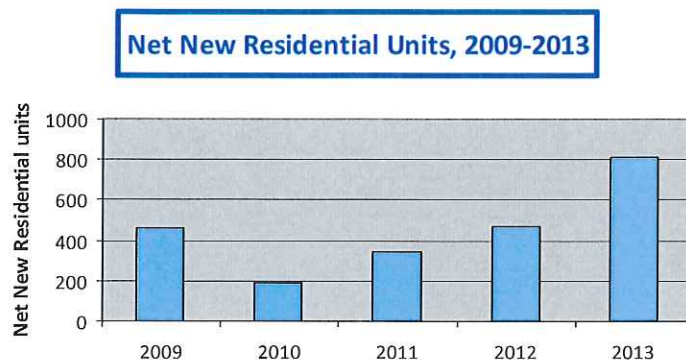
Design Review Applications, 2013



Building Permits Issued – 2013

2013 saw the continuation of a substantial recent upward trend in residential building permits. Permits were issued for the construction of 991 new residential units, including both single- and multi-family development, while only 178 units were permitted for demolition.

This resulted in a net increase of 813 residential units for 2013, the largest net gain since 2008 and nearly double the 2012 total. A total of 3,212 new residential units have been permitted over the past five years, an average of 644 per year. Over the same period, 949 units have been permitted for demolition, an average of 190 per year. The average net increase in permitted units then equals 454 per year.



The numbers above are reflective of the several major residential projects that received building permits in 2013. They included the following projects:

| First Permits Issued | Project | Location |
|----------------------|--|-----------------------------|
| March | 71-unit mixed-use apartment building | 416 Boush Street |
| July | 164-unit apartment building (Element at Ghent) | 111 18 th Street |
| July | 168-unit apartment complex (Pointe at Pickett Farms) | 5400 Greenplain Road |

Several major non-residential projects were also permitted in 2013, including:

| First Permits Issued | Project | Location |
|----------------------|--|----------------------------|
| March | 18,500 square foot industrial building (Bauer Compressors) | 1328 Azalea Garden Road |
| April | Major repairs/alterations, including new parking garage (Concourse at Northampton) | 5800 Northampton Boulevard |
| May | 54,000 square foot supermarket (Harris Teeter) | 7550 Granby Street |
| May | New medical office building (DePaul Medical Center) | 155 Kingsley Lane |
| July | New mini-storage facility | 1117 Valley Drive |
| November | 105,000 square foot hospital addition (Sentara Leigh Hospital) | 830 Kempsville Road |

Plans and Other Projects

With its final adoption by City Council in March 2013, the planning process that resulted in *plaNorfolk2030*, the City's first



major comprehensive plan update since 1992, is complete. However, the ongoing process of implementing the plan is just beginning. Several major processes were begun in 2013 that represent key steps in implementing *plaNorfolk2030*.



Foremost among the *plaNorfolk2030* implementation steps begun in 2013 are numerous small ordinance, policy, and process revisions grouped together as part of the smart processing initiative. These revisions focus largely on eliminating the need for special exception for uses

in several zoning districts, instead placing development standards directly in the ordinance to make it easier for residents and businesses to understand what the City will require. Additionally, the City initiated in 2013 several process improvements as part of the smart processing initiative. These included revising the fee schedule, increasing the number of payment options, and expanding digital distribution of information to the Planning Commission and the Design Review Committee.

In addition to the smart processing changes, several major ordinance revisions were also undertaken in 2013. Perhaps the most significant of these is the re-write of the floodplain ordinance. This re-write recognizes that the City is experiencing more flood events – with greater impacts – than ever before. It responds to that new reality with new development standards that will reduce the impact of high water events by limiting damage and reducing insurance costs. It was adopted by City Council late in 2013.

The City's historic district zoning regulations were also completely re-written in 2013, with significant changes including the creation of an Architectural Review Board – to take the place of the Design Review Committee – and the creation of a system of local landmarks. Both of these revisions, along with many of the minor changes included in the re-write, set the foundation for the ultimate goal of getting Norfolk designated as a "Certified Local Government" under US Department of Interior and Virginia Department of Historic Resources regulations, thus qualifying the City for more federal and State support of historic resource identification and protection. These revisions were recommended by Planning Commission in 2013 and approved by City Council in early 2014.

Projects Completed – 2013

2013 saw the completion of several major building projects and the opening of many new or relocated businesses. Most of these projects received some form of Planning Commission or Design Review approval in previous years and, as major construction projects often take several years to finish, were ultimately completed during the past year. Below are several projects that were completed in 2013.



Projects Completed – 2013

Included on these pages are the City's new Passenger Rail Station, the YMCA's Y on Granby, the innovative new 757 Makerspace, an expanded taxicab operation near Five Points, and several restaurants, ranging from Field Guide Downtown, to Bangkok Garden in Ghent, and from Granny's Country Cooking on 35th Street to Starbuck's on N. Military Highway.

